

AN
ANSVVER
TO
THE EARLE OF
STRAFFORDS
ORATION:

The 13. of Aprill, 1641.



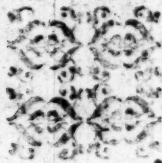
Printed in the yeare, 1641.

AN
ANSWER

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THE EARLE OF
STRAFFORDS
ORATION

The 13. of April 1641.



Printed in the year 1641.

With your Lordships favour.

IF the subversion of the fundamentalls of Faith be Heresie, why not as well the subversion of the fundamentall Lawes, Treason? Shall it be Treason to destroy the Kings Minister? and shall there be none that destroys his protector? For the Law protects the King, as well as the King the Lawes; and if Lawes did not subduate Princes, Kingdoms would be utter as foundationlesse: may they be indeed, the very substance of Kings.

Let it be supposed, though not granted, that no one particular make it Treason, may not many and successive Actes amount it to that height? One graine of poyson is not mortall, but many together are. Exportation of Sheepe for once is but a Trespasse, but acted a second time is Felony by Statute. Refusal of the Oath of Supremacy is at first not capitall, but refused againe, by statute is made Treason. And to my weak understanding, my Lords, this clearly shewes the mind of the Law: one ill act of waving the Law, may be but out of rashnesse, out of Ignorance, but a perpetuated practice, shewes a prepen-

fed malice, and murder thus acted by the 10.
Ed. 7. in Ireland, is Treason.

Be it there be no statute or Common-Law
 in expresse to make it so, yet necessary in-
 ferences, if they bee not certaintyes, are next
 them; and if the deputed Iudge or Gover-
 nour hath power in the businesse of the Sub-
 ject, to make the sway arbitrary, where Law
 is positive, I know not but hee may doe the
 same in the businesse of the Sovereigne; so it
 may come to pull the Sovereignty from the
 Prince, and place it on his substitute; and
 whether this be Treason or no, I leave to your
 Lordships consideration.

'Tis true, *de non apparentibus, & non existen-*
tibus, eadem est Ratio. But my Lords, to make
 this Treason, is not unapparent: a partiall
 eye will not finde it, but he that lookes, *Intus in*
ferio, may see even the Triple Gerion of Treas-
 on in it, for it cannot be but there is, *Loss*
Respub. Lex Maiestas, the Common-wealth is
 oppressed, the Lawes are suppressed, the Prince
 is scandal'd in act, and subjected by conse-
 quence to his Denious determinations: and
 therefore I shall without admiration tell you
 where this fire hath layen those hundred of
 yeares he speaketh of, even (my Lords) in the
 dishonest behaviour of other Ministers of
 State.

State; who have not beene injurious against the Lawes, and there still had it beene buried; if his owne nefarious actions had not un-embred it, and fuel'd it anew.

Nor can your Sentence be before promulgation, since even your renowned Progenitors have already declared it Treason, though not by a particular Statute in termes: yet by a demonstrative practice, which if his Lordship would not have beene willingly blind, had beene Buoy enough to keepe him from that Anchor of usall, which now must either hurt it selfe, or else split him, the Parliament whose Courtes left upon Record cannot be taken for under water workes; so that a very easie honesty and common morallity (without Revelation) might have serv'd as the red Grosse and the Bill, to have warn'd him from this plague of Uegicide.

I shall begge as hard as his Lordship, that you have regard to your selves; for if upon him (by whose authority, Peeres shall bee sentenc'd to be shot, Nobles, curbd & coop'd up; Lawes subverted, Freehold disposed of out of the Courts; Grants under the Royall Seale extrajudicially disanul'd, and what may be profit of, Monopoliz'd) you set not some everlasting Character, to deter the like front-

lesse attempts; I know not but the next com-
mer, may subjugate your desired freedoms,
and as remediable you may then complaine,
as those who now doe suffer, and have not yet
found a redresse.

My Lords under favour, your providence
may be short, if it reach but to burning of
Bookes: a fire of dead leaves will be too
weake a fell for a warning Beacon. A living
Authour made exemplary will afford a Taller
flame, and if there were no other Law, that
of Retaliation could not but be just; an Ar-
bitrary sentence, were but plowing with his
owne Heyter; Who striving to seclude the
Lawes, would infuse a kinde of legall Tyranny;
from a breast that is a Libertine. And
therefore your Lordships I perswade my selfe,
will thinke it mightily fit, to cast this ~~scoundrel~~
overboard, who hath occasioned all these
stormes, indangered all the sacred ship of Go-
vernment; and by flying the plaine speaking
Law, has dar'd by his Impetuous Vote, to out-
goe even all the bold attempts of Ancestry.

It is some comfort to us, that in 240. years,
we have had no use of these venerable (though
by him reviled for many) Records. The
Common-wealth has had the fewer enemies.
And if they work now but a method opera-

tion, I hope it may be 500. yeares ere any of
 to hold a brow, shall desperately againe advent-
 ure to awake them.

And if his Lordship be not made a president
 for punishment: I know not but hee may
 prove a President for example, to animate
 others of a Vicious and presuming braine, to
 take up the same way from a pleasurable bot-
 some, to doome both Nobles, and the Com-
 mons, into a State of deepe calamity. And so
 your Lordships duty to him, may by
 indulgence wound a future multitude. His
 many crimes which you have heard fully pro-
 ved, will immortalize your Peerage for a no-
 ble Iustice. The learned Orator has amiently
 told us, that *Non potest cuiquam male de Repub.*
merenti, iustae esse causa. And though it be se-
 vere, it cannot be unrighteous, for *Hoc spe-*
stant Leges, Hoc volunt, incolumem esse Civium
Coniunctionem, quam qui dirimunt, eos morte,
exilio, vinculis, damno, coercent.

Thus every man will know what channell to
 steere in, what rocks to avoyd, what he is not
 to doe, what he is not to say for feare of mee-
 ting such paines.

Thus men of honest wisdom, will be cau-
 tious of keeping in the plaine roade of the
 Law, and never hazard (by crossing through
 untro-

unpropen Thickets) either Honour, Issue, or
fortune, to a losse. What his Majestie may
graciously intend to the pledge of his Sainct,
will rest in his most Royall heart: Though I
hope the want of a Midwife did not make her
one, nor his marriage within a moneth after
her decease did cre make him account her
so.

And now (my Lords) wee shall humbly
expect your Honorable Judgements, besee-
ching you will bee nobly pleased to defend
those Lawes which have ever defended you, to
have respect to your owne future liberty, and
the safety of these flourishing Kingdomes:
Then what ever your sentence be,

*Te Deum laudamus. Cantemus Te Deum, claustrum
te Deum confitemur. Rapibus, salutis nostrae.*

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XXIIS.

